IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

AS.No. 344 of 1998(A)

OS.449/1992 of I ADDL.SUB COURT, THRISSUR
.....

APPELLANT/2nd DEFENDANT:

KARTHIAYANI, W/O SEKHARAN,
CHEMMANNUR DESOM, ALATHUR VILLAGE.

BY ADV. SRI.P.N.KRISHNANKUTTY ACHAN(SR.)
SRI.K.MOHANA KANNAN

RESPONDENTS/PLAINTIFF AND 1ST DEFENDANT:
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1. PRABHATH FINANCE, KUNNAMKULAM,
REPRESENTED BY ITS MANAGING PARTNER PRABHAKARAN,
KUNNAMKULAM VILLAGE, TRISSUR TALUK.

*2. SEKHARAN, SON OF KALLAYIL KARAPPU,
CHEMMANNUR DESOM, ARTHAT VILLAGE.
*(2ND RESPONDENT DELETED FROM THE PARTY ARRAY VIDE ORDER DATED 4.12.2007 ON I.A.No.4587/07 IN AS.344/98)

BY ADV. SRI.P.VIJAYA BHANU
SRI.T.A.UNNIKRISHNAN

THIS APPEAL SUIT HAVING BEEN FINALLY HEARD ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NOS.479/99 & 2890/99 IN AS.344/98

//DISMISSED//

4.12.2007 SD/= (P.R.RAMAN, JUDGE)
SD/=(V.K.MOHANAN, JUDGE)

P.R.RAMAN & V.K.MOHANAN,JJ..

A.S..No. 344/98 and I.A.No.4527/07

DATED THIS THE 4th DAY OF DECEMBER, 2007

J U D G M E N T

Raman, J.

This is an appeal against the judgment and decree in O.S.No.449/92 on the file of the 1st Additional Subordinate Judge's Court, Thrissur. The second defendant in the suit is the appellant. The respondents are the plaintiff and the first defendant respectively. The second respondent Sekharan who is the first defendant in the suit was removed from the party array as per orders in I.A.No.4587/07. I.A.No.4527/07 is a compromise petition settling the dispute between the plaintiff and the appellant herein. It is agreed that whatever amount due from the Prabhath Finance has since been received by the plaintiff and it is prayed that the attachment of the property be lifted and the decree be set aside.

Since the plaint claim is already received, the decree is set aside and the attachment is lifted. A copy of the compromise petition be annexed with the judgment.

P.R.RAMAN, JUDGE

V.K.MOHANAN, JUDGE

dsn